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Hearing Date: August 16, 2023
Hearing Time: 10:00 am (ET)
Objection Deadline: August 9, 2023
Time: 4:00 pm (ET)

*Attorneys for Irving H. Picard, Trustee
for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Chapter 7 Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Debtor.

Adv. Pro. No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

**NOTICE OF MOTION FOR ORDER AMENDING ORDER
APPOINTING A DISCOVERY ARBITRATOR PURSUANT TO
BANKRUPTCY RULE 9019(c) AND GENERAL ORDER M-390**

PLEASE TAKE NOTICE that Irving H. Picard, Irving H. Picard, trustee (“Trustee”) for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. § 78aaa et seq. (“SIPA”), and the estate of Bernard L. Madoff (“Madoff”), will move this Court for an order

amending the Order Appointing a Discovery Arbitrator Pursuant to Bankruptcy Rule 9019(c) And General Order M-390, *Secs. Inv'r Prot. Corp. v. Bernard L. Madoff Inv. Secs.*, No. 08-01789 (CGM) (Bankr. S.D.N.Y. Oct. 4, 2016), ECF No. 14227 (the "Motion").

PLEASE TAKE FURTHER NOTICE that written objections to the Motion and any opposing affidavits must be filed with the Clerk of the United States Bankruptcy Court, the Alexander Hamilton Customs House, One Bowling Green, New York, New York 10004 by no later than 4:00 pm, **August 9, 2023**, and must be served upon (a) Baker & Hostetler, LLP, counsel for the Trustee, 45 Rockefeller Plaza, New York, New York 10111, Attn: David J. Sheehan, Esq. and (b) the Securities Investor Protection Corporation, 1667 K Street, NW, Suite 1000, Washington, DC 20006-1620, Attn: Kevin H. Bell, Esq. so as to be received on or before **August 9, 2023**. Any objection must specifically state the interest that the objecting party has in the proceedings and the basis of the objection to the Motion.

PLEASE TAKE FURTHER NOTICE that a hearing on this Motion is scheduled for **August 16, 2023, at 10:00 am**, before the Honorable Cecelia G. Morris, United States Bankruptcy Court for the Southern District of New York, or such other time as the Court determines. However, if no objection to the Motion is filed and served in accordance with the requirements of this notice, the Court may enter an order granting the requested relief without holding a hearing under Local Bankruptcy Rule 9075-2.

PLEASE TAKE FURTHER NOTICE that pursuant to the Court's directive, all hearings will be conducted remotely pending further Order of the Court. All parties who wish to participate in the Hearing must refer to Judge Morris' guidelines for remote appearances and are required to make arrangements to appear via ZoomGov. For further details on ZoomGov, please call the Courtroom Deputy at (845) 451-6367. Further instructions regarding remote appearances via

ZoomGov can be found on the Court's website at <https://www.nysb.uscourts.gov/zoom-video-hearing-guide>. Pro se parties may participate telephonically in hearings free of charge.

Dated: August 2, 2023
New York, New York

By: /s/ David J. Sheehan
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